

CIVIL, CLOSED, STAYED

**U.S. District Court  
Eastern District of California - Live System (Sacramento)  
CIVIL DOCKET FOR CASE #: 2:06-cv-02853-RRB-DAD  
Internal Use Only**

**CRB**

Dohner v. Merck & Company, Inc. et al  
Assigned to: Judge Ralph R. Beistline  
Referred to: Magistrate Judge Dale A. Drozd  
Cause: 28:1441 Petition for Removal- Personal Injury

Date Filed: 12/15/2006  
Date Terminated: 06/28/2007  
Jury Demand: Defendant  
Nature of Suit: 365 Personal Inj. Prod.  
Liability  
Jurisdiction: Diversity

**Plaintiff**

**Barry Dohner**  
*individually and as successor in interest  
to Debora Dohner, deceased*

represented by **Alissa S. Holt**  
Hackard & Holt  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Andrea J. McNeil**  
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V.

**Defendant**

**Merck & Company, Inc.**

represented by **Kevin Michael Hara**  
Reed Smith LLP (Oakland)  
1999 Harrison Street  
Suite 2400  
PO Box 2084  
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**FILED**

**JUL 05 2007**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Email: khara@reedsmith.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**McKesson Corporation**

represented by **Anthony G Brazil**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Amerisourcebergen Corporation**

represented by **Anthony G Brazil**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kanika D. Corley**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Pfizer Inc.**

represented by **Peter Edward Schnaitman**  
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1000 Wilshire Boulevard  
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**Tae-Yoon Kim**

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 213-430-3400  
 Fax: 213-430-3409  
 Email: tae.kim@tuckerellis.com  
**TERMINATED: 04/13/2007**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Pharmacia Corporation**

represented by **Peter Edward Schnaitman**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**


**Tae-Yoon Kim**  
 (See above for address)  
**TERMINATED: 04/13/2007**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**G. D. Searle LLC**

represented by **Peter Edward Schnaitman**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Tae-Yoon Kim**  
 (See above for address)  
**TERMINATED: 04/13/2007**  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
12/15/2006	 <u>1</u>	NOTICE of REMOVAL <i>Of Action Under 28 U.S.C. Section 1441(B)</i> from Los Angeles County Superior Court, case number BC359104. by Merck & Company, Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Civil Cover Sheet # <u>10</u> Attachment to Civil Cover Sheet) (Hara, Kevin) (Entered: 12/15/2006)
12/15/2006		(Court only) SUBMISSION of CREDIT CARD INFORMATION for Removal from State Court Filing Fee in the amount of \$350.00; Type of Credit Card: MasterCard Name as it appears on Credit Card: Louis W. Tullius Reed Smith Gov Filings Contact Telephone Number: (412) 288-3131

		<p>Street: 435 Sixth Avenue          Zip code: 15219          Credit Card Number: xxxx-xxxx-xxxx-xxxx          Expiration Date: xx/xx          Security Code: xxx          (Hara, Kevin) (Entered: 12/15/2006)</p>
12/15/2006	2	<p>NOTICE by Merck &amp; Company, Inc. re <u>1</u> Notice of Removal - ATY., <i>Defendants Pfizer Inc., Pharmacia Corporation, And G. D. Searle LLC's Consent To Removal Of Action Under 28 U.S.C. Section 1441(B)</i> (Hara, Kevin) (Entered: 12/15/2006)</p>
12/15/2006	3	<p>NOTICE of RELATED CASE 2:05-cv-02140, 2:05-cv-02199, 2:05-cv-02203, 2:05-cv-02193, 2:05-cv-02240, 2:05-cv-02218, 2:05-cv-02267, 2:05-cv-02436, 2:05-cv-02437, 2:05-cv-02446, 2:05-cv-02464, 2:05-cv-02465, 2:05-cv-02567, 2:05-cv-02568, 2:05-cv-02584, 2:06-cv-00062, 2:05-cv-2609, 2:06-cv-00082, 2:06-cv-2399, 2:06-cv-00241 by Merck &amp; Company, Inc.. including 2:06-cv-00281; 2:06-cv-00324; 2:06-cv-00330; 2:06-cv-00477; 2:06-cv-0487; 2:06-cv-0583; 2:06-cv-0593; 2:06-cv-0617; 2:06-cv-00653; 2:06-cv-0675; 2:06-cv-0692; 2:06-cv-0690; 2:06-cv-00694; 2:06-cv-0718; 2:06-cv-0728; 2:06-cv-0774; 2:06-cv-01294; 2:06-cv-1313; 2:06-cv-00993; 2:06-cv-01597; 1:06-cv-01006; 2:06-cv-01826; 2:06-cv-1845; 2:06-cv-1941; 2:06-cv-1954; 2:06-cv-1957; 2:06-cv-1973; 2:06-cv-1977; 2:06-cv-1978; 2:06-cv-2079; 2:06-cv-2093; 2:06-cv-2102; 2:06-cv-2103; 2:06-cv-02215; 2:06-cv-2281; 2:06-cv-2284; 2:06-cv-2285; 2:06-cv-2275; 2:06-cv-2283; 2:06-cv-2332; 2:06-cv-2350; 2:06-cv-2362; 2:06-cv-2352; 2:06-cv-2354; 2:06-cv-2348; 2:06-cv-2351; 2:06-cv-2349; 2:06-cv-2346; 2:06-cv-02436; 2:06-cv-02434; 2:06-cv-02431; 2:06-cv-02422; 2:06-cv-02344; 2:06-cv-02473; 2:06-cv-02474; 2:06-cv-02477; 2:06-cv-02471; 2:06-cv-02472; 2:06-cv-02479; 2:06-cv-02480; 2:06-cv-02489, 2:06-cv-02490, 2:06-cv-02473, 2:06-cv-02474, 2:06-cv-02477, 2:06-cv-02471, 2:06-cv-02472, 2:06-cv-02479, 2:06-cv-02512, 2:06-cv-02520, 2:06-cv-02516, 2:06-cv-02518, 2:06-cv-02525, 2:06-cv-02523, 2:06-cv-02546, 2:06-cv-02547, 2:06-cv-02548, 2:06-cv-02559, 2:06-cv-02560, 2:06-cv-02563, 2:06-cv-02568; 2:06-cv-02574; 2:06-cv-02575; 2:06-cv-02598; 2:06-cv-02599; 2:06-cv-02600; 2:06-cv-02601; 2:06-cv-02717; 2:06-cv-02768; 2:06-cv-02776; 2:06-cv-02780; 2:06-cv-02807; 2:06-cv-02787; 2:06-cv-02814; 2:06-cv-02817; 2:06-cv-02812; 2:06-cv-02826; 2:06-cv-02830; 2:06-cv-02829 and 2:06-cv-02833 (Hara, Kevin) (Entered: 12/15/2006)</p>
12/18/2006	4	<p>(Court only) PROCESS CREDIT CARD (Kastilahn, A) (Entered: 12/18/2006)</p>
12/18/2006		<p>RECEIPT number 205 12091 for \$350.00 for Civil Filing Fee from Kevin Hara. (Kastilahn, A) (Entered: 12/18/2006)</p>
12/18/2006	5	<p>CIVIL NEW CASE DOCUMENTS ISSUED; (Attachments: # <u>1</u> Consent Forms # <u>2</u> VDRP Forms) (Kastilahn, A) (Entered: 12/18/2006)</p>
12/18/2006	6	<p>CERTIFICATE of SERVICE by Merck &amp; Company, Inc. re <u>1</u> Notice of Removal - ATY., (Hara, Kevin) (Entered: 12/18/2006)</p>

12/19/2006	<a href="#"><u>7</u></a>	ANSWER to COMPLAINT with Jury Demand by McKesson Corporation. Attorney Corley, Kanika D. added.(Corley, Kanika) (Entered: 12/19/2006)
12/19/2006	<a href="#"><u>8</u></a>	NOTICE by McKesson Corporation. <i>Certification and Notice of Interested Parties</i> (Corley, Kanika) (Entered: 12/19/2006)
12/21/2006	<a href="#"><u>9</u></a>	ANSWER to COMPLAINT with Jury Demand by Pfizer Inc..(Kim, Tae-Yoon) (Entered: 12/21/2006)
12/22/2006	<a href="#"><u>10</u></a>	NOTICE of RELATED CASE 2:06-cv-02780, 2:06-cv-02787, 2:06-cv-02807, 2:06-cv-02812, 2:06-cv-02814, 2:06-cv-02817, 2:06-cv-02826, 2:06-cv-02829, 2:06-cv-02830, 2:06-cv-02833, 2:06-cv-02851, 2:06-cv-02875 by Merck & Company, Inc.. <i>Amended</i> (Hara, Kevin) (Entered: 12/22/2006)
12/22/2006	<a href="#"><u>11</u></a>	ANSWER to COMPLAINT with Jury Demand by Amerisourcebergen Corporation. Attorney Corley, Kanika D. added.(Corley, Kanika) (Entered: 12/22/2006)
01/10/2007	<a href="#"><u>12</u></a>	MOTION to REMAND <i>to Los Angeles Superior Court</i> by Barry Dohner. Attorney McNeil, Andrea J. added. Motion Hearing set for 2/28/2007 at 10:00 AM in Courtroom 7 (DFL) before Chief Judge David F. Levi. (Attachments: # <a href="#"><u>1</u></a> Decl. of Andrea J. McNeil# <a href="#"><u>2</u></a> Memorandum of Points and Authorities# <a href="#"><u>3</u></a> Exhibit A - E to the Declaration# <a href="#"><u>4</u></a> Proposed Order Granting Motion to Remand)(McNeil, Andrea) Modified on 1/17/2007 (Reader, L). (Entered: 01/10/2007)
01/15/2007	<a href="#"><u>13</u></a>	NOTICE of RELATED CASE 2:07-cv-00034, 2:07-cv-00042, 2:07-cv-00048, 2:07-cv-00051, 2:07-cv-00057, 2:07-cv-00058, 2:07-cv-00062, 2:07-cv-00067, 2:07-cv-00068, 2:07-cv-00075, 2:07-cv-00077, 2:07-cv-00073, 2:07-cv-00079 by Merck & Company, Inc.. <i>Amended</i> (Hara, Kevin) (Entered: 01/15/2007)
01/17/2007	<a href="#"><u>14</u></a>	NOTICE of RELATED CASE 2:07-cv-00034, 2:07-cv-00042, 2:07-cv-00048, 2:07-cv-00051, 2:07-cv-00057, 2:07-cv-00058, 2:07-cv-00061, 2:07-cv-00067, 2:07-cv-00068, 2:07-cv-00075, 2:07-cv-00077, 2:07-cv-00073, 2:07-cv-00079 by Merck & Company, Inc.. <i>Amended</i> (Hara, Kevin) (Entered: 01/17/2007)
01/24/2007	<a href="#"><u>15</u></a>	AMENDED ANSWER to <i>Complaint with Jury Demand</i> by Amerisourcebergen Corporation. (Corley, Kanika) (Entered: 01/24/2007)
01/25/2007	<a href="#"><u>16</u></a>	MOTION to STAY <i>proceedings pending a decision on transfer</i> by Merck & Company, Inc.. Motion Hearing set for 2/28/2007 at 10:00 AM in Courtroom 7 (DFL) before Chief Judge David F. Levi. (Attachments: # <a href="#"><u>1</u></a> Declaration of Kevin M. Hara in support# <a href="#"><u>2</u></a> Exhibit A through E # <a href="#"><u>3</u></a> Exhibit F through I # <a href="#"><u>4</u></a> Proposed Order)(Hara, Kevin) Modified on 1/26/2007 (Marciel, M). (Entered: 01/25/2007)
01/30/2007	<a href="#"><u>17</u></a>	MEMORANDUM/RESPONSE in OPPOSITION re <a href="#"><u>16</u></a> MOTION to STAY <i>Proceedings Pending A Decision On Transfer</i> . (Attachments: # <a href="#"><u>1</u></a> Declaration Andrea J. McNeil# <a href="#"><u>2</u></a> Exhibit A-F# <a href="#"><u>3</u></a> Exhibit G-I)(McNeil,

		Andrea) (Entered: 01/30/2007)
02/08/2007	<a href="#"><u>18</u></a>	RESPONSE in OPPOSITION to <u>12</u> pltf's motion to remand. (Attachments: # <u>1</u> Declaration of Kevin M. Hara # <u>2</u> Exhibit A - H # <u>3</u> Exhibit I - L # <u>4</u> Exhibit M - S # <u>5</u> Declaration of Gregory S. Yonko # <u>6</u> Declaration of Leonardo DeCandia)(Hara, Kevin) Modified on 2/9/2007 (Manzer, C). (Entered: 02/08/2007)
02/08/2007	<a href="#"><u>19</u></a>	RESPONSE in OPPOSITION to <u>12</u> pltf's motion to remand. (Kim, Tae-Yoon) Modified on 2/9/2007 (Manzer, C). (Entered: 02/08/2007)
02/08/2007	<a href="#"><u>20</u></a>	DECLARATION of Tae-Yoon Kim in OPPOSITION TO <u>12</u> pltf's motion to remand. (Kim, Tae-Yoon) Modified on 2/9/2007 (Manzer, C). (Entered: 02/08/2007)
02/20/2007	<a href="#"><u>21</u></a>	REPLY in SUPPORT of <u>16</u> motion to stay <i>proceedings pending a decision on transfer</i> . (Attachments: # <u>1</u> Declaration Of Kevin M. Hara # <u>2</u> Exhibit A-E # <u>3</u> Exhibit F-H)(Hara, Kevin) Modified on 2/21/2007 (Reader, L). Modified on 2/23/2007 (Manzer, C). (Entered: 02/20/2007)
02/21/2007	<a href="#"><u>22</u></a>	REPLY BRIEF in SUPPORT of <u>12</u> motion to remand <i>to Los Angeles Superior Court</i> . (Attachments: # <u>1</u> Declaration of Andrea J. McNeil # <u>2</u> Exhibit A)(McNeil, Andrea) Modified on 2/21/2007 (Reader, L). Modified on 2/23/2007 (Manzer, C). (Entered: 02/21/2007)
02/22/2007	<a href="#"><u>23</u></a>	MINUTE ORDER: The motions now calendared for hearing on 2/28/2007 are ordered submitted without appearance pursuant to Local Rule 78-230(h). (TEXT ONLY) (Vine, H) (Entered: 02/22/2007)
04/03/2007	<a href="#"><u>24</u></a>	NOTICE of RELATED CASE 2:07-cv-00623, 2:07-cv-00626 by Merck & Company, Inc.. <i>Amended</i> (Hara, Kevin) (Entered: 04/03/2007)
04/12/2007	<a href="#"><u>25</u></a>	MEMORANDUM OF OPINION AND ORDER signed by Judge David F. Levi on 4/11/2007 GRANTING <u>16</u> Motion to Stay Proceedings pending a decision on transfer by Merck & Company, Inc. DENIED Without Prejudice <u>12</u> Motion to Remand to the Superior Court by Barry Dohner.(Reader, L) (Entered: 04/12/2007)
04/13/2007	<a href="#"><u>26</u></a>	DESIGNATIION OF COUNSEL by Pfizer Inc., Pharmacia Corporation, G. D. Searle LLC. Adding attorney Schnaitman, Peter Edward as attorney or record. Tae-Yoon Kim terminated. (Schnaitman, Peter) Modified on 4/16/2007 (Reader, L). (Entered: 04/13/2007)
06/20/2007	<a href="#"><u>27</u></a>	ORDER by Chief Judge David F. Levi; Due to the Order of Designation of Judge Ralph R. Beistline to serve in the Eastern District, this action is REASSIGNED from Judge David F. Levi to Judge Ralph R. Beistline for all further proceedings. (Waggoner, D) (Entered: 06/20/2007)
06/28/2007	<a href="#"><u>28</u></a>	ORDER, CASE TRANSFERRED to the Northern District of California. Original file, certified copy of transfer order, and docket sheet sent. CASE CLOSED (Manzer, C) (Entered: 06/28/2007)